

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

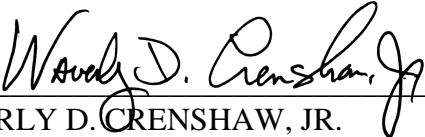
<b>CHRISTOPHER A. CUMMINS,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>NO. 1:16-cv-00023</b>
	)	<b>JUDGE CRENSHAW</b>
<b>SHAUN PHILLIPS, Warden</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

As explained in the accompanying Memorandum Opinion, the Court finds that the prosecutorial misconduct claim alleged in the amended petition is procedurally defaulted, as such amendment would be futile. Accordingly, the motion to amend the petition (Doc. No. 35) is **DENIED.**

This matter is now fully briefed. The Court will issue a decision as soon as practicable.

IT IS SO ORDERED.

  
\_\_\_\_\_  
WAVERLY D. CRENSHAW, JR.  
CHIEF UNITED STATES DISTRICT JUDGE